following. The Condition of the above Obligation is such that if the above Bound John Anderson and William Byus do and shall well and truly pay or cause to be paid unto the Said William Lux his certain Attorney Executors Administrators or Assigns the just and full Sum of Eighty five pounds Sterling at or upon the first day of October next Ensuing the Date hereof then the above Obligation to be void else to remain in full force and Virtue in Law —

Which being read and heard the same William Byus Saith that the aforesaid William Lux his Action aforesaid thereof against him to have or maintain ought not because he he saith that after the passing of the Writing Obligatory aforesaid and before the Issuing of the Original Writ of the aforesaid William Lux in the Plea aforesaid against him the Said William Byus he the Said William Byus to Wit the first day of September in the Year Seventeen hundred and fifty Five at the County aforesaid did pay and Satisfy unto the aforesaid William Lux the aforesaid Sum of Eighty five Pounds Sterling Money in the Condition aforesaid mentioned with the Intrest thereon Due and this he is ready to Verify wherefore he prays Judgment if the aforesaid William Lux his Action aforesaid thereof against him to have or Maintain ought &c. And the aforesaid William Byus by the Licence of the Court here according to the form of the Statute in Such Case made and provided Comes and Defends the force and Injury when &c. and Saith that he with the Debt aforesaid by Virtue of the writing aforesaid to be burthened ought not because he Saith that writing is not his Deed and of this he puts himself upon the Country &c. And the aforesaid William Lux in like Manner and so forth —

And the aforesaid William Lux Saith that he by anything (by)

by the same William Byus in his first Plea aforesaid alledged from having and maintaining his Action aforesaid against him to be precluded ought not because he saith that the aforesaid William Byus hath not paid to him the Said William Lux the aforesaid Eighty five pounds Sterling Sterling in the Condition aforesaid mentioned with Legal Interest thereon due as the aforesaid William Byus hath above in his Same Plea alledged and this he prays may be enquired of by the Country and so forth. And the aforesaid William Byus in like manner and so forth —

Whereupon for Trying the Issue aforesaid Command is given to the Sheriff of Dorchester County that he cause to Come before the Justices of the Provincial Court at Annapolis the third Tuesday of October next or before the Justices appointed to take the Assizes in his County if they Shall before that Time to wit on Monday the thirteenth day of September next to the County Court House in the Said County come Twelve good and Lawfull Men of his Bailiwick by whom &c. who neither &c. to Recognize &c. because as well &c — Afterwards the Process continued between the Parties aforesaid in the Plea aforesaid by the Jury being put thereon in Respite here untile the third Tuesday of October next unless the Justices of his Lordship the Lord Proprietary to take the Assizes in the Said County Assigned on Monday the thirteenth day of September next to the County Court house in the Said County Shall come —

And now here at this day to wit the said third Tuesday of October being the Nineteenth day of the same Month Anno Dom. 1756 Comes again into his Lordships Said Provincial Court here as well the Said William Lux by his Attorney aforesaid as the Said William Byus by his Attorney aforesaid but the Sheriff hath not sent his Writ —